



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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REGIONAL
ADMINISTRATOR'S
DIVISION

March 30, 2023

Stacy Lundgren, Environmental Coordinator
Okanogan-Wenatchee National Forest
215 Melody Lane
Wenatchee, Washington 98801

Dear Stacy Lundgren:

The U.S. Environmental Protection Agency has reviewed U.S. Forest Service's February 2023 Correction to Notice of Intent to prepare an Environmental Impact Statement for the Domestic Sheep & Goat Grazing in Range of Bighorn Sheep Project (EPA Project Number 19-0027-AFS) in the Okanogan-Wenatchee National Forest, Washington. EPA has conducted its review pursuant to the National Environmental Policy Act and our review authority under Section 309 of the Clean Air Act. The CAA Section 309 role is unique to EPA and requires EPA to review and comment publicly on any proposed federal action subject to NEPA's environmental impact statement requirement.

In June 2019, EPA provided scoping comments on the original NOI for the project. EPA appreciates that the Forest Service has committed to using the information received during the 2019 comment period. This corrected NOI states that the Forest Service will "amend the Okanogan and Wenatchee Forest Plans to identify which existing grazing allotments are suitable or unsuitable for domestic sheep and goat grazing. The Forest also needs to identify potential site-specific grazing opportunities which could be made available to existing sheep permittees on the Forest."

The corrected NOI provides administrative updates and revises the proposed action and nature of the decision to be made. The need is revised to address new concerns related to existing allotment management plans. Six preliminary alternatives are identified: the no action, current management strategies, no domestic livestock grazing, separation area delineations, allotment-by-allotment suitability determinations, and modified zone management.

Expected impacts are described in the corrected NOI as "changes in the abundance and distribution of bighorn sheep, increased risk of disease transmission to bighorn sheep that result in population declines, changes in bighorn sheep viewing and hunting opportunities, changes to range conditions due to modification of grazing practices, and effects to local economies." EPA recommends that the Draft EIS clearly explain the nature and impact of management activities on environmental resources and potentially affected communities, including the following:

- **Water Quality:** Grazing activities have the potential to alter stream discharge and degrade riparian and water quality. The introduction of sediments to stream systems can alter thermal processes; degrade water quality; and impact stream habitat, including riparian zones, for many species including fish populations. EPA recommends that the DEIS disclose which waters may be impacted by the proposed project, the nature of the potential impacts, and the specific pollutants (e.g., sediment and nutrients) likely to impact those waters. Report those waterbodies potentially affected by the project that are listed on the State's most current EPA-approved Clean Water Act 303(d) list of impaired waters. Describe any existing restoration and enhancement efforts for those waters, if antidegradation provisions apply, and how the project will coordinate with Washington State Department of Ecology.

- Habitat and Wildlife: EPA recommends the DEIS describe the current quality of habitat, its use by wildlife on and near grazing areas, and identify known Endangered Species Act Critical Habitat,^{1,2} Magnuson Stevens Fisheries Act Essential Fish Habitat,³ wildlife corridors, migration routes, and areas of seasonal congregation (e.g., breeding). If habitat and wildlife will be significantly impacted because of the proposed action, include mitigation measures to minimize the impacts (e.g., reducing the risk of contact between domestic grazing and bighorn sheep). Explain in the DEIS what factors are considered in assessing high risk diseases transmission situations. The 2019 NOI stated this may include local topography, spatial or temporal separation, or other herd characteristics or range management actions. We refer to our June 2019 scoping comments for sources related to domestic sheep, goat, and bighorn sheep health.
- Permittees: EPA recommends the DEIS explain the Forest Service's method for permit decisions and how it ensures that permittees are conducting grazing practices in a way that is protective of the environment.
- Environmental Justice: EPA encourages the Forest Service to use EPA's EJSCREEN⁴ for the DEIS to determine the presence of communities with EJ characteristics (e.g., minority and low-income populations) and discuss in the DEIS whether these communities would be potentially affected by individual or cumulative actions of the proposed action. If it is determined that communities with EJ characteristics may be disproportionately impacted, describe in the DEIS the measures taken by the Forest Service to fully analyze the environmental effects of the action on the affected communities and identify potential mitigation measures.
- Tribal Coordination: EPA encourages the Forest Service to consult with the Tribes and incorporate feedback from the Tribes when making decisions regarding the project. EPA recommends the DEIS describe the issues raised during the consultations and how those issues were addressed.
- Climate Change: On January 9, 2023, the Council on Environmental Quality (CEQ) published interim guidance to assist federal agencies in assessing and disclosing climate change impacts during environmental reviews.⁵ CEQ developed this guidance in response to EO 13990 on *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*. This interim guidance is effective immediately. CEQ indicated that agencies should use this interim guidance to inform the NEPA review for all new proposed actions and may use it for evaluations in process, as agencies deem appropriate, such as informing the consideration of alternatives or helping address comments raised through the public comment process. EPA recommends the DEIS apply the interim guidance as appropriate, to ensure robust consideration of potential climate impacts, mitigation, and adaptation issues.

Thank you for the opportunity to review the corrected NOI for this project. If you have questions about this review, please contact Caitlin Roesler of my staff at 206-553-6518 and roesler.caitlin@epa.gov, or me, at (206) 553-1774 or at chu.rebecca@epa.gov.

Sincerely,

Rebecca Chu, Chief
Policy and Environmental Review Branch

¹ <https://gis-fws.opendata.arcgis.com/maps/794de45b9d774d21aed3bf9b5313ee24/about>. Accessed 3/28/2023.

² <https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=68d8df16b39c48fe9f60640692d0e318>. Accessed 3/28/2023.

³ <https://www.habitat.noaa.gov/apps/efhmapper/>. Accessed 3/28/2023.

⁴ <https://ejscreen.epa.gov/mapper>. Accessed 3/28/2023.

⁵ <https://www.federalregister.gov/documents/2023/01/09/2023-00158/national-environmental-policy-act-guidance-on-consideration-of-greenhouse-gas-emissions-and-climate>. Accessed 3/28/2023.